

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at Baltimore**

IN RE:

D'ANDRE L. LEWIS
Debtor

* Case No.: 22-12214

* Chapter 13

STATE OF MARYLAND
CENTRAL COLLECTION UNIT
Plaintiff,

*

*

v.

* Adv. Pro. No.: 22-00098

D'ANDRE L. LEWIS
Defendant

*

* * * * *

MOTION FOR ENTRY OF DEFAULT JUDGMENT

Plaintiff, the State of Maryland Central Collection Unit, by its attorneys, Brian E. Frosh, Attorney General of Maryland, Susan C. Scanlon, Assistant Attorney General, and Michael D. Watts, Staff Attorney, respectfully move that this Court enter a Default Judgment against D'Andre Lewis and in support thereof states as follows:

1. Plaintiff instituted this adversary case by filing a Complaint on May 13, 2022.
2. The Summons was issued on May 16, 2022. Defendant was duly served with the Summons and Complaint in this adversary proceeding by first class mail, postage prepaid, on May 18, 2022.
3. Pursuant to Federal Rule of Bankruptcy Procedure 7012, the Defendant was required to answer or otherwise respond to the Complaint within 30 days of the issuance of the Summons.
4. As of the date of this Request, the Defendant has failed to plead or otherwise defend against the Complaint.

5. The Defendant is not in the military service, pursuant to the attached report dated June 30, 2022, from the Department of Defense Manpower Data Center.

6. A “default” was entered against the Defendant on June 22, 2022, by the Bankruptcy Clerk because Defendant failed to plead as required FRBP 7012.

7. The Complaint seeks a determination of the Non-Dischargeability of the debt based upon the Defendant’s express false representations to the Maryland Department of Labor “Labor” that Defendant remained unemployed or underemployed and was eligible and entitled to receive the unemployment benefit payments for each week Labor paid the benefits. Defendant knew those representations were false when Defendant made them and made those representations with the intent of deceiving Labor.

8. The amount sought by Plaintiff in its Complaint for Non-Dischargeability of Debt was Two Thousand, Six Hundred Fourteen Dollars (\$2,614.00) in principal, Four Thousand, Four Hundred Eighty-Three Dollars and Thirty-Eight Cents (\$4,483.38) in statutory fraud interest, One Thousand, Two Hundred Six Dollars and Fifty-Five Cents (\$1,206.55) in statutory collection fees costs for a total of Eight Thousand, Three Hundred Three Dollars and Ninety-Three Cents (\$8,303.93), plus the combined cost of this action and the previously-dismissed adversary proceeding #22-00033, Seven Hundred Dollars (\$700.00); plus post-judgment interest at the at the legal rate.

WHEREFORE, Plaintiff, State of Maryland Central Collection Unit, respectfully requests that this Honorable Court:

1. Enter an Order granting to the Plaintiff judgment by default against the Defendant.
2. Enter an Order holding the debt owed by Defendant to Plaintiff in the amount of

Eight Thousand, Three Hundred Three Dollars and Ninety-Three Cents (\$8,303.93), plus the combined cost of this action and the previously-dismissed adversary proceeding #22-00033, Seven Hundred Dollars (\$700.00), to be non-dischargeable pursuant to 11 U.S.C. §523(a)(2)(A).

3. Award to the Plaintiff such other and further relief as is just.

Respectfully submitted,

BRIAN E. FROSH
ATTORNEY GENERAL OF MARYLAND

Dated: July 6, 2022

/s/ Michael D. Watts
Michael D. Watts, #21284
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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 6, 2022, a copy of the foregoing Request for Default was mailed, by first class mail, postage prepaid, to:

D'Andre L. Lewis
2011 Wintergreen Place
Rosedale, MD 21237

Jeffrey M. Sirody
1777 Reisterstown Rd., Ste. 360 E
Baltimore, MD 21208

/s/ Michael D. Watts
Michael D. Watts
Staff Attorney